

Senate Bill 183

By: Senators Robertson of the 29th, Anavitarte of the 31st, Payne of the 54th, Brass of the 28th and Anderson of the 24th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding sheriffs, so as to revise qualification requirements
3 for the office of sheriff; to require certification as a peace officer at the time of qualifying as
4 a candidate for sheriff; to require such candidate to be in good standing with the Georgia
5 Peace Officer Standards and Training Council; to provide for a confirming affidavit; to
6 provide for a definition; to provide for related matters; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
11 general provisions regarding sheriffs, is amended by revising subparagraph (c)(1)(J) of Code
12 Section 15-16-1, relating to qualification requirements for sheriff and exemptions, as follows:
13 "(J) At the time of qualifying as a candidate for the office of sheriff, ~~is a registered~~
14 ~~peace officer as provided in Code Section 35-8-10 or~~ is a certified peace officer as
15 defined in Chapter 8 of Title 35 and is in good standing with the Georgia Peace Officer
16 Standards and Training Council. Upon request of the person seeking to qualify as a

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17 candidate for the office of sheriff, the executive director of the Georgia Peace Officer
18 Standards and Training Council shall create and provide for an affidavit attesting to
19 such person's compliance with this subparagraph. Such affidavit shall be signed by the
20 executive director of the Georgia Peace Officer Standards and Training Council, or his
21 or her designee, and the person seeking to qualify as a candidate for the office of sheriff
22 and shall be presented to elections officials prior to the end of the established period of
23 qualification in order to qualify as a candidate. As used in this subparagraph, the term
24 'in good standing with the Georgia Peace Officer Standards and Training Council'
25 means having never had his or her peace officer certification revoked by the Georgia
26 Peace Officer Standards and Training Council; within the preceding five years, has not
27 had his or her certification suspended by the Georgia Peace Officer Standards and
28 Training Council; and, upon the opening date of the established period of qualification,
29 shall not be under any sanction imposed by the Georgia Peace Officer Standards and
30 Training Council. Any person who is not a registered or certified peace officer at the
31 time such person assumes the office of sheriff shall be required to complete
32 satisfactorily the requirements for certification as a peace officer as provided in Chapter
33 8 of Title 35 within six months after such person takes office; provided, however, that
34 an extension of the time to complete such requirements may be granted by the Georgia
35 Peace Officer Standards and Training Council upon the presentation of evidence by a
36 sheriff that he or she was unable to complete the basic training course and certification
37 requirements due to illness, injury, military service, or other reasons deemed sufficient
38 by such council. The Georgia Peace Officer Standards and Training Council shall
39 make every effort to ensure that space is available for newly elected sheriffs who are
40 not certified or registered peace officers to attend the course as soon as possible after
41 such persons take office. Such council shall notify the appropriate judge of the probate
42 court whenever a newly elected sheriff who is not certified fails to become certified as
43 a peace officer pursuant to the requirements of this subparagraph."

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SECTION 2.

45 All laws and parts of laws in conflict with this Act are repealed.